

The 16th July, 1971

No. 28HA-63B/283.—Whereas it appears to the Governor of Haryana that land is likely to be required to be taken by Government, at public expense, for a public purpose, namely, link road from Loharu Satnali road to village Phartia, and Phartia Kehr, it is hereby notified that the land in the locality described below is likely to be acquired for the above purpose.

This notification is made under the provision of section 4 of the Land Acquisition Act, 1894, to all whom it may concern.

In exercise of the powers conferred by the aforesaid section, the Governor of Haryana is pleased to authorise the officers for the time being engaged in the undertaking with their servants and workmen to enter upon and survey any land in the locality and do all other acts required or permitted by that section.

Any person interested who has any objection to the acquisition of any land in the locality may within 30 days of the publication of this notification file an objection in writing before the Land Acquisition Collector, Haryana, P.W.D., B. & R. Branch, Ambala Cantt.

SPECIFICATION

District	Tehsil	Locality	Area in acres	Remarks
Hissar	Loharu	Phartia Bhima	1.47	As demarcated at site 12/1, 16, 24, 25, 20/13, 18/1, 19/1, 20/4, 7 and 8
		Phartia Kahr	0.735	73/9, 10, 11, 12, 20
			Total	2.205

M. G. UPPAL,

Superintending Engineer,
Hissar Circle, P.W.D., B. & R. Branch,
Hissar.

LABOUR DEPARTMENT

The 16th July, 1971

No. 7497-4Lab-71/23888.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Haryana, Faridabad in respect of the dispute between the workmen and the management of M/s Usha Forgings and Stampings Ltd., Mathura Road, Faridabad :—

BEFORE SHRI O.P. SHARMA, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL, HARYANA,
FARIDABAD

Reference No. 11 of 1969

Between

THE WORKMEN AND THE MANAGEMENT OF M/S USHA FORGINGS AND STAMPINGS
LTD., MATHURA ROAD, FARIDABAD

Present: Shri Krishan Lal for the workmen.

Shri Ashok Rajput for the management.

AWARD

An industrial dispute existing between the management of M/s Usha Forgings and Stampings Ltd., Mathura Road, Faridabad and their employees was referred for adjudication to this Tribunal by the Governor of Haryana in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act,

1947,—*vide* order No. ID/FD/300-F/68/4397-4401, dated 5th February, 1969, with the following terms of reference :—

1. Whether the workmen are entitled to the grant of bonus for the year 1966-67. If so, what should be the quantum of bonus and terms and conditions of its payment ?
2. Whether uniforms should be provided to all the workers of the factory. If so, with what details and from which date ?

On receipt of the reference, notices were issued to the parties concerned. Claim statement on behalf of the workmen was filed on 21st March, 1969, with the allegations that uniforms were being provided to the workmen by all the engineering concerns like M/s Gedore Tools (P) Ltd., Faridabad, M/s Kalvinator of India, Faridabad, M/s Lakshmi Rattan Engineering Works, Faridabad, Escorts Ltd., Faridabad and as such the present workmen were also entitled to the benefit of the uniforms as while engaged in the performance of their duties their clothes were spoiled. It was further stated that they were entitled to the grant of bonus for the year 1966-67 on the basis of profit bonus as per their demand notice.

The management contested the above claim of the workmen for uniforms as well as bonus. As for the supply of uniforms, it was urged that in this concern there was no operation which necessitated the supply of uniforms to the workers. The claim for bonus was contested on the ground that the factory had started its production only about three years back and had suffered heavy losses from its very inception amounting to Rs. 19,88,360.38.

Besides contesting the claim of the workmen on merits an objection regarding want of proper espousal of the dispute and the *locus standi* of the General Labour Union to represent the concerned workmen was also raised. The management filed the balance-sheet and profit and loss accounts statement for the relevant period along with the written statement. Objections of the workmen to the same were invited which were filed after taking several adjournments contending that the figures given in the balance-sheet and profit and loss account were wrong.

My learned predecessor framed the following issues on 30th June, 1969 :—

1. Whether the present dispute is not espoused by the substantial number of workmen ?
2. Whether the present dispute has been espoused by the General Labour Union and it has no *locus standi* to do so ?
3. Whether the respondent concern has been incurring heavy losses since the day of its production dated January, 1966 ?
4. If the above issues are found against the management to what amount the bonus are the workmen entitled ?
5. Whether all or any of the categories of workmen are entitled to uniform if so of what type and at what cost ?

The management examined only one witness, their Manager Shri B.C. Jain, who deposed that previously the management of the respondent company was with M/s Ami Chand Piara Lal but the same had been taken over by Shri A.C. Jain in July, 1969. He further deposed that the financial position of the company was rather bad and during the last three years 1965-66, 1966-67 and 1967-68 the company had suffered losses amounting to Rs. 19,88,360.38. It was further stated by him that the workers in the factory were not engaged on any duty which was likely to spoil their clothes. In cross-examination, however, it was admitted that the workers engaged on the furnaces were provided aprons.

On 3rd August, 1970, the date fixed for the evidence of the workmen, nobody appeared on behalf of the management nor did the workmen produce any evidence. On their request the case was adjourned to 31st August, 1970, for their evidence *ex parte* against the management. However, the management appeared on the above date and on their request the *ex parte* proceedings were set aside subject to the payment of Rs. 25 as costs. On 14th September, 1970, the management put in an application Ex. M.W. 2/1 contending that the factory had been closed and a notice to this effect had been given to the workmen as well as to the Government in the month of August, 1970 and, therefore, no industrial dispute survived between the parties. This was denied on behalf of the workmen. My learned predecessor framed the following additional issue for 27th October, 1970 :—

“Whether the respondent factory has been closed ? If so, what is its effect ?”

Shri Ashok Rajput, authorised representative of the respondent concern made his statement on oath on 2nd February, 1971, in support of the above contention regarding the closure of the factory. According to him the factory had been closed with effect from 18th August, 1970, electricity and telephone connections cut off and no worker had attended the factory since then. It was further stated by him that information regarding the closure of the factory had been given to the concerned workmen as well as to the Government,—*vide* Ex. M.W. 2/2, Ex. M.W. 2/3.

Thereafter several adjournments were given for the evidence of the workmen and only one witness Shri Ganga Ram, one of the concerned workmen, made his statement on 14th April, 1971, that the factory had been earning profits although it had been closed with effect from August, 1970. In answer to certain Court question he stated that he had no idea of the monthly wage bill nor could he tell what were the net profits earned by the factory in any particular year. It may be stated here that the statement of Shri Ganga Ram W.W. I was recorded *ex-parte* against the management as on the date fixed none had appeared for the management. Subsequently, however, the *ex-parte* proceedings against the management were set aside subject to the payment of Rs. 30 as costs *vide* order dated 11th May, 1971. These costs as also the costs of a previous adjournment granted against the management amounting to Rs. 20 have not so far been paid. The workmen have produced no other evidence in the case in spite of getting several more adjournments and even Shri Ganga Ram W.W. I has not come forward for his cross-examination by the management.

Arguments of the parties have been heard and I have carefully gone through the facts on record. Mainly the workmen have no case either for the supply of uniforms or for the grant of bonus for the years 1966-67 as claimed by them *vide* their demand notice dated 19th November, 1968, which was received along with the reference. So far as the question of supply of uniforms goes the same has to be rejected on the ground that the factory had since been closed with effect from August 18, 1970. The specific plea raised by the management in their application dated 14th September, 1970, Ex. M.W. 21 on record has not been refuted by the workmen. Shri Ganga Ram one of the concerned workmen coming into the witness box as W.W. I has rather admitted this fact in so many words. The factory having since remained closed from August 18, 1970 without any work, the question of granting uniforms to the workers does not arise. That disposes of issue No. 5 and the additional issue framed on 27th October, 1970, which are decided against the workmen and it is held that on the facts on record they are not entitled to the grant of uniforms. The workmen entitled to uniforms would, however, not be deprived of their right to put forward this claim against, if and when the factory re-starts working.

With regard to the claim of the workmen for the grant of bonus for the year 1966-67 also the position as made out from the record is quite clear. The management has contested this claim on the specific pleas taken in the written statement that this industrial establishment had been newly set up and it had started its commercial production only in 1966 and that it had been incurring heavy losses from its very inception. The balance-sheet for the relevant period duly certified by the registered Chartered Accountant as also the profit and loss accounts statement was filed along with the written statement and Shri A.C. Jain, Manager of the Company coming into the witness box as M.W. I swore testimony to the above facts. His statement particularly with regard to the losses alleged to have been suffered by the company during the preceding three years amounting to nearly Rs. Twenty lacs was not challenged in cross-examination by the learned representative of the workmen nor have the workmen brought on record any evidence worth consideration, documentary or orally, to question the accuracy of the balance-sheet etc. produced by the management and the same have, therefore, got to be accepted as accurate as contemplated under section 23 of the Payment of Bonus Act, 1965.

It, therefore, follows that the respondent company which started its commercial production only in 1966 and has ever since been running into huge losses is not liable to pay bonus to the workmen for the year 1966-67 and their claim for the same as per their demand notice dated 19th November, 1968, is not tenable in accordance with the provisions of section 16 of the Payment of Bonus Act, 1965. The learned representative of the workmen has not been able to satisfy me to the contrary. Issues Nos. 3 and 4 are accordingly decided in favour of the management and against the workmen.

In view of my above findings on the relevant issues, the claim of the workmen for the supply of uniforms and grant of bonus for the year 1966-67 is not well founded and they are not entitled to any relief in the present reference. The award is made accordingly but there would be no order as to costs. The workmen would, however, be entitled to recover the costs already awarded to them from the management in the prescribed manner.

Dated 5th July, 1971

O. P. SHARMA,
Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 679, dated 5th July, 1971

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

Dated 5th July, 1971

O. P. SHARMA,
Presiding Officer,
Industrial Tribunal Haryana,
Faridabad.

No. 7224-4Lab-71 23890. In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Haryana, Faridabad, in respect of the dispute between the workmen and the management of M/s Rajindra Paper Mills, Faridabad.

BEFORE SHRI O. P. SHARMA, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL, HARYANA,
FARIDABAD

Reference No. 47 of 1970

between

SHRI MOOL CHAND WORKMAN AND THE MANAGEMENT OF M/S RAJINDRA PAPER MILLS.
FARIDABAD

Present :

Shri Darshan Singh, for the workmen.

Shri S. L. Gupta, for the management.

AWARD

An industrial dispute existing between the management of M/s Rajindra Paper Mills, Faridabad, and their employee Shri Mool Chand was referred for adjudication to this Tribunal by the Governor of Haryana in exercise of the powers conferred under clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947,—vide Order No. ID/FD/6A/7074-78, dated 10th March, 1970, with the following terms of reference :

Whether the termination of services of Shri Mool Chand was justified and in order ? If not, to what relief is he entitled ?

On receipt of the reference usual notices were given to the parties. Claim statement on behalf of Shri Mool Chand concerned workman was filed on 28th April, 1970, with the allegation that he was a permanent workman getting Rs 85 per mensem and his services had been terminated by the management without any charge-sheet or domestic enquiry and simply because of his union activities. The management filed the written statement on 22nd April, 1970 controverting the above allegations of the workman. According to the management Shri Mool Chand concerned workman had been on leave from 3rd December, 1969 to 9th December, 1969 and on his return from leave on 10th December, 1969, he had been asked to work in another department of the factory, namely, the Raw Material Godown which he had refused to do without any justification and had left the factory premises and thereafter he had never turned up for duty. It was further urged in the written statement that the services of this workman had never been terminated by the management and he had been only transferred from one department to another and that the management had made an offer to him before the Conciliation Officer to work in the Raw Material Godown but he had declined to accept this offer. My learned predecessor framed the following issue on 7th May, 1970, the only other issue for determination being as per the term of reference :—

Whether the workman was asked to work in the Raw Material Godown and he refused to do the work and left the factory and never came on duty ?

The management has examined four witnesses in all including Shri Mahi Chand, Timekeeper M. W. 1, Shri Tej Singh Coollie M.W. 2, Shri Ragbhir Singh Walia, Head Clerk of the Labour Officer, Faridabad M. W. 3, and Shri Hanuman Parshad, Finishing House Supervisor M. W. 4. The workman has himself come into the witness box as W. W. 1 without examining any other witness.

I have heard the learned representatives of the parties and gave a considered thought to the facts on record. It is, however, not necessary to go into the merits of the case so far as the question of reinstatement of Shri Mool Chand concerned workman goes. Admittedly he had been working as a helper in the Finishing House Department of M/s Rajinder Paper Mill, Faridabad, at Rs 80 per mensem before he proceeded on leave from 3rd December, 1969 to 9th December, 1969. The management had to engage some other person to work in that department during his absence on leave and it has not been considered desirable to disturb that arrangement. The management had, therefore, made an offer to take him back in service, if he is prepared to work in the Raw Material Godown of M/s Rajindera Paper Mills, Faridabad. This offer has been accepted on behalf of the workman, and the statements of the learned representatives of the parties have been recorded.

In view of the above, the only other dispute between the parties that remains to be determined is with regard to the back wages claimed by the workman. The management has seriously contested this claim whereas the contention put forward on behalf of the workman is that he had to remain idle during the period of his unemployment for no fault of his and as such he is entitled to full back wages from the date of the termination of his services till the date of his reinstatement.

A careful examination of the statement of Shri Mool Chand concerned workman and the witnesses examined on behalf of the management in the case would show that on his return from leave on 10th December, 1969, the management had required him to work not in another department of the same mills but in the Godown of Delhi Pulp Industry, Faridabad which is altogether a different concern although the management of that concern

and Rajindera Paper Mills where Shri Mool Chand had been working for the last two years is the same. The law is very well established. The management has the right to transfer a workman from one department to another without materially changing the conditions of his service. But at the same time a workman is within his right to refuse to be transferred to a different industrial establishment against his will irrespective of the fact that the management remains the same. From the statement of Shri Hanuman Parshad, Finishing House Supervisor, M. W. 4, it is quite clear that on his return from leave Shri Mool Chand had been directed to work in the Raw Material Godown of Delhi Pulp Industry and not in any department of Rajindera Paper Mills, Faridabad, of which he was the employee. In the circumstances, Shri Mool Chand was well within his rights to refuse to work in that department of the other mills. He has stated on oath that he has ever since been without any job in spite of efforts and the management has brought no evidence to show that he has been gainfully employed anywhere. He is, therefore, entitled to back wages but taking into consideration all the facts and circumstances of the case, I would allow him 50 per cent of his wages from 10th December, 1969 to the date of his reinstatement, his total wage being Rs 80 per mensem. Both the issues are decided in favour of the workman and he is entitled to reinstatement and half of his wages from 10th December, 1969 till the date of his reinstatement. He shall, however, work in the Raw-Material Godown of Rajinder Paper Mills, Faridabad, till a suitable vacancy arises in the Finishing House Department of the said mills. The award is made accordingly but without any order as to costs.

O. P. SHARMA,

Presiding Officer,

Industrial Tribunal, Haryana, Faridabad.

Dated 29th June, 1971.

No. 671, dated the 29th June, 1971

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

O. P. SHARMA,

Presiding Officer,

Industrial Tribunal, Haryana, Faridabad.

Dated 29th June, 1971.

No. 7379-4Lab-71/23892.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Haryana, Rohtak, in respect of the dispute between the workmen and the management of M/s H. S. Bhatia and Co., Link Road, Old Faridabad.

**BEFORE SHRI P. N. THUKRAL, PRESIDING OFFICER, LABOUR COURT, HARYANA,
ROHTAK**

Reference No. 26 of 1971

between

Shri Kanwar Bahadur Singh, care of President, General Labour Union, IK/16, N. I. T. Faridabad, and the management of M/s H. S. Bhatia and Co., Link Road, Old Faridabad.

Present:

Shri Roshan Lal, for the workman.

Shri H. S. Bhatia, for the management.

AWARD

Shri Kanwar Bahadur Singh was in the service of M/s H. S. Bhatia & Co., Old Faridabad. His services were terminated and this gave rise to an industrial dispute. Accordingly the Governor of Haryana, in exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, referred the following dispute to this Court for adjudication,—*vide* Government Gazette Notification No. ID/FD/612-A-70/8257, dated 19th February, 1971:—

“Whether the termination of services of Shri Kanwar Bahadur Singh was justified and in order? If not, to what relief is he entitled?”

On receipt of the reference usual notices were issued to the parties in response to which the management filed their written statement. The stand taken up by the management is that the workman Shri Kanwar Bahadur Singh was appointed on 1st November, 1970, as an operator on temporary basis and he himself left the service on 11th November, 1970. The workman in his application denied this allegation and the pleadings of the parties gave rise to the following issues:—

(1) Whether the respondent was employed in a temporary capacity and he himself abandoned the service?

1. If issue No. 1 is not proved whether the termination of the services of Shri Kanwar Bahadur Singh was justified and in order? If not; to what relief is he entitled?

The case was adjourned to 28th May, 1971 for the evidence of the parties. Shri H. S. Bhatia, proprietor of the respondent concern appeared as a witness in support of his allegations that the workman Shri Kanwar Bahadur Singh was appointed on a temporary basis for a period of two months at rupees 150 per mensem and he left the service of his own accord on 11th November, 1970. The workman has not even cared to produce any evidence in rebuttal. I, therefore, find both these issues in favour of the management. The workman is not entitled to any relief. I give my award accordingly. No order as to costs.

Dated the 1st July, 1971.

P. N. THUKRAL,
Presiding Officer,
Labour Court, Haryana,
Rohtak.

No. 1244, dated Rohtak, the 2nd July, 1971

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

P. N. THUKRAL,
Presiding Officer,
Labour Court, Haryana,
Rohtak.

No. 7378-4Lab-71/23894. In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Haryana, Rohtak, in respect of the dispute between the workman and the management of M/s Northern India Plywood, Mathura Road, Faridabad.

BEFORE SHRI P.N. THUKRAL, PRESIDING OFFICER, LABOUR COURT, HARYANA, ROHTAK

Reference No. 139 of 1970

between

Shri Raja Ram workman, C/o Shri Onkar Parshad, General Secretary, Loh Udyog Karamchari Sangh, Bahadurgarh and the management of M/s Northern India Plywood, Mathura Road, Faridabad.

Present.

Shri Onkar Parshad, for the workman.

Shri Mulkh Raj Bhatia, Liaison Officer, for the management.

AWARD

Shri Raja Ram was in the service of M/s Northern India Plywood, Mathura Road, Faridabad. He is aggrieved by reason of the termination of the services and this gave rise to an industrial dispute and the Governor of Haryana in exercise of the powers conferred on him by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, was pleased to refer the following dispute to the Labour Court,—*vide* Government Gazette Notification No. ID/ED/259C/1541, dated 17th January, 1968:—

Whether the termination of services of Shri Raja Ram was justified and in order? If not, to what relief is he entitled?

Before the case could be disposed of the headquarters of the Labour Court, Rohtak were shifted to Faridabad and the proceedings were continued there. The High Court of Punjab and Haryana in the mean time held that the appointment of the Presiding Officer of the Labour Court was not valid. The Government has filed a Letter Patent Appeal against the judgement of the High Court but in order to avoid delay the proceedings pending in the said Labour Court were re-referred to another Labour Court which was constituted *vide* gazette notification No. 3864-ASO(E)-Lab-70, dated 8th May, 1970. On receipt of the reference by the new Labour Court, fresh notices were issued to the parties. Shri Onkar Parshad appeared on behalf of the workman and Shri O.P. Chaudhry, Foreman appeared on behalf of the management and the record of the domestic enquiry held against the workman was produced. The case was adjourned to 17th March, 1971 to enable the workman to admit or deny the record of domestic enquiry. On the date fixed it was discovered that no opportunity had been given to the parties to

file the statement of claim and a written statement. The case was accordingly adjourned to 26th March, 1971. On the date fixed nobody appeared on behalf of the management. The workman filed his statement of claim. So the case was adjourned to 23rd April, 1971 to enable the management to file their written statement. It was also ordered that the management be informed of the date fixed. Shri O.P. Chaudhry who represents the management appeared in the Court after sometime. He was duly informed of the adjourned date and his signatures were taken. On the adjourned date again nobody appeared on behalf of the management although I waited till 11.30 a.m. The workman was then given an opportunity to produce evidence in support of his claim and the case was adjourned to 29th May, 1971. It appears that the management is in the habit of coming late and on 23rd April, 1971 a representative of the management left an application in the office at 12.50 p.m. praying that the order with regard to the production of *ex parte* evidence be set aside and the management be given an opportunity to file their written statement. It appears that the representative of the management who filed this application did not even choose to wait and went away after giving the application in the office. When this application was put up before me in the later part of the day, it was ordered that the notice be issued to the representative of the management to appear in Court on the date fixed i.e. 29th May, 1971. On the date fixed one Shri Mulkh Rai Bhatia appeared on behalf of the management. He was not acquainted with the facts of the case and did not even offer any explanation for not filing the written statement on the previous date so the evidence of the workman was recorded. Shri Mulkh Raj who was representing the management did not even cross-examine the workman. He simply gave a written application requesting for adjournment, so that after studying the case he may be able to prove the record of domestic enquiry and advance arguments in support of his case. Obviously it was not possible to accept this application and continue delaying the disposal of the case without any reason what so ever.

The workman in his evidence has stated that was working as a machine operator in the respondent concern on Rs 110 per mensem from the last 4-5 years and one Shri Ram Phool was his helper. He says that on 19th May, 1969 when he was working on the machine Shri Janak Raj, Manager told him to stop the machine and to bring the wooden planks from outside. The workman says that he told the manager that this was the job of the helper and in case he wanted him to do this job a written order be given to him but no written orders were given and after sometime the proprietor came and turned him out. A copy of the charge sheet was given to him in the office of the Labour Inspector and 10th June, 1967 was fixed for holding of the enquiry. He says that on the date fixed he was told to sign some blank papers and on his refusal to do so he was turned out and after sometime he was informed that *ex parte* enquiry had been held against him and he has been dismissed. The management have been extremely negligent in prosecuting their case. Their representative even did not bother to attend in time and on the last date a new employee who was wholly un-acquainted with the facts of this case was sent to defend the case. Since the management have not even cared to prove the record of domestic enquiry said to have been held against the workman and in view of the evidence given by the workman it must be held that the termination of his services was not justified and he is entitled to re-instate with continuity of service and full back wages. I give my award accordingly.

No order as to costs.

The 25th June, 1971.

P.N. THUKRAL,

Presiding Officer,
Labour Court, Haryana,
Rohtak.

No. 1241, dated Rohtak, the 2nd July, 1971

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

P. N. THUKRAL,

Presiding Officer,
Industrial Tribunal, Haryana, Rohtak.

The 19th July, 1971

No. 7225/4 Lab-71/23886.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Haryana, Faridabad in respect of the dispute between the workman and the management of M/s Palvariser Grinding Mills, Fatehpur Chandela, Railway Road, Faridabad.

BEFORE SHRI O. P. SHARMA, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL,
HARYANA, FARIDABAD

Reference No. 5 of 1970

between

SHRI KALU RAM WORKMAN AND THE MANAGEMENT OF M/S PALVARISER GRINDING
MILLS, FATEHPUR CHANDELA, RAILWAY ROAD, FARIDABAD

Present—

Shri Roshan Lal for the workman.

Shri S. N. Taneja for the management.

AWARD

The final award in reference No. 5 of 1970 between M/s Palvariser Grinding Mills, Fatehpur Chandela, Railway Road, Faridabad and their employee Shri Kalu Ram was made by my learned predecessor on 27th July, 1970 and the same was published in Haryana Government Gazette, dated 18th August, 1970 at pages 666 and 667. The management has brought this application under rule 28 of the Industrial Disputes (Punjab Rules) 1958 praying for correction of certain clerical mistakes which have occurred in the said award. It has been alleged that the date of first termination of Shri Kalu Ram concerned workman was 4th May, 1969 and not 4th May, 1967 and the date of his final termination was 6th August, 1969 and not 4th May, 1967 as published in the Gazette.

Notice of the above application was given to the workman and his authorised representative Shri H. L. Kapoor has stated that he has no objection to the corrections asked for being made in the award which are purely of a clerical nature.

I, therefore, make the necessary corrections in the award as contemplated under rule 28 of the Industrial Disputes (Punjab Rules), 1958. In line 24 at page 666 the words 'on 4th May, 1969' shall be added after the words "his" services were terminated". In line 26 on the same page the date of termination shall be read as 6th August, 1969 instead of 4th May, 1967 as already published.

O. P. SHARMA,

Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

Dated the 29th June, 1971.

No. 672, dated the 29th June, 1971

Forwarded (four copies) to the Secretary to Government Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

O. P. SHARMA,

Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

Dated the 29th June, 1971.

B. L. AHUJA,

Commissioner for Labour and Employment,
Secretary to Government, Haryana.